

## Message Text

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ORIGIN EUR-12

INFO OCT-01 ISO-00 HA-05 CIAE-00 DODE-00 PM-05 H-01  
INR-10 L-03 NSAE-00 PA-01 SP-02 SS-15 ACDA-12  
TRSE-00 OIC-02 BIB-01 NSCE-00 SSO-00 ICAE-00  
INRE-00 CCO-00 /070 R

DRAFTED BY EUR/RPM:RVPERINA:MEM  
APPROVED BY D:WCHRISTOPHER  
NSC:GTREVERTON  
D:MBARNES  
C:RHOPPER-EUR/SE/REWIN  
HA:CBRODY- S/P KAPLAN  
EUR/SOV:JHUFF  
EUR/EE:NANDEWS  
EUR/CE:VGRAY  
EUR/WE:MR. PAGENELLI

-----046733 151842Z /73

O 151810Z JUL 78 ZFF5  
FM SECSTATE WASHDC  
TO CSCE COLLECTIVE IMMEDIATE  
AMEMBASSY BONN IMMEDIATE  
INFO USDEL SECRETARY IMMEDIATE

C O N F I D E N T I A L STATE 179532 TOSEC 080108

BONN ALSO FOR US DEL CSCE SCIENTIFIC FORUM

E.O. 11652: GDS

TAGS: CSCE, SHUM, UR

SUBJECT: BILATERAL APPROACHES ON SOVIET TRIALS

1. THE DEPARTMENT IS CONCERNED ABOUT THE IMPACT WHICH THE  
LATEST SOVIET TRIALS MAY HAVE ON PUBLIC AND CONGRESSIONAL  
SUPPORT FOR THE CSCE PROCESS AND ON THE LONG-TERM  
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VIABILITY OF THIS FORUM AS A MEANS OF ADDRESSING SERIOUS  
EAST-WEST ISSUES. WE BELIEVE IT IMPORTANT TO MAKE OUR  
CONCERNS KNOWN TO OTHER PARTICIPATING CSCE STATES AND TO  
ENCOURAGE EXPRESSIONS OF THEIR CONCERN TO MOSCOW.

2. ACCORDINGLY, WITH THIS CABLE WE ARE REQUESTING  
EMBASSIES IN ALL CSCE CAPITALS EXCEPT MOSCOW TO SEEK

EARLY APPOINTMENTS AT AN APPROPRIATELY HIGH LEVEL TO CONVEY OUR VIEWS TO HOST GOVERNMENTS. POINTS TO BE MADE FOLLOW IN PARAGRAPH 4 BELOW. POSTS IN WESTERN AND NEUTRAL/NONALIGNED CAPITALS, INCLUDING BELGRADE AND MADRID, SHOULD INCLUDE POINT F IN THEIR PRESENTATION. POSTS IN EASTERN EUROPEAN WARSAW PACT CAPITALS SHOULD OMIT POINT F. ALL POSTS SHOULD REPORT HOST GOVERNMENT REACTION BY IMMEDIATE TELEGRAM.

3. FOR WARSAW PACT EE CAPITALS: WE RECOGNIZE THAT EASTERN EUROPEAN GOVERNMENTS WILL REACT NEGATIVELY TO

THIS DEMARCHE. HOWEVER, IN ACCORDANCE WITH OUR POLICY OF TREATING EASTERN EUROPEAN COUNTRIES AS SOVEREIGN STATES AND TO UNDERLINE THE SERIOUSNESS OF OUR CONCERN, WE BELIEVE EE COUNTRIES SHOULD ALSO BE INFORMED OF OUR VIEWS.

4. FOLLOWING ARE POINTS TO BE MADE:

A) FOR ALMOST 18 MONTHS, THE UNITED STATES HAS BEEN WATCHING WITH GRAVE CONCERN THE DEVELOPMENTS IN THE SOVIET UNION RELATED TO THE ARREST AND PROSECUTION OF A NUMBER OF INDIVIDUALS ASSOCIATED WITH THE SOVIET GROUP TO PROMOTE OBSERVANCE OF THE HELSINKI FINAL ACT, MOST NOTABLY YURI ORLOV, ALEKSANDR GINZBURG AND ANATOLIY CONFIDENTIAL

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SHCHARANSKIY.

B) THE ARREST OF THESE INDIVIDUALS IN EARLY 1977 WAS A DISTURBING FACTOR AT THE BELGRADE MEETING SINCE THE INDIVIDUALS IN QUESTION SOUGHT ONLY TO EXERCISE RIGHTS AFFIRMED IN THE FINAL ACT. THIS INCLUDES THE EFFECTIVE EXERCISE OF THE CIVIL AND POLITICAL RIGHTS WHICH - IN THE WORDS OF THE FINAL ACT - DERIVE FROM THE INHERENT DIGNITY OF THE HUMAN PERSON AND ARE ESSENTIAL FOR HIS FREE AND FULL DEVELOPMENT. THESE RIGHTS ARE ENDORSED BY PRINCIPLE SEVEN AND BASKET THREE OF THE FINAL ACT WHICH ALSO CONFIRMS THAT THE INDIVIDUAL MAY KNOW AND ACT UPON HIS RIGHTS. TO PROSECUTE INDIVIDUALS FOR ACTIVITY RELATED TO THE PROMOTION OF CSCE OBJECTIVES IS A GROSS DISTORTION OF THE FINAL ACT WHICH CANNOT GO UNNOTICED BY THE AMERICAN PUBLIC AND THE US GOVERNMENT.

C) AS PRESIDENT CARTER HAS PERSONALLY STATED, THERE IS NO TRUTH TO CHARGES THAT MR. SHCHARANSKIY WORKED FOR US INTELLIGENCE. HE AND OTHERS LIKE HIM ARE BEING PUT ON TRIAL AND CONDEMNED ON A NUMBER OF PRETEXTS. IN TRUTH, SUCH PERSONS ARE BEING TRIED FOR ASSERTING FUNDAMENTAL

HUMAN RIGHTS.

D) BECAUSE THESE TRIALS ARE A FLAGRANT VIOLATION OF OBJECTIVES AND STATEMENTS OF INTENT AGREED UPON AT HELSINKI BY HEADS OF GOVERNMENT OF SIGNATORY POWERS, THEY ARE A LEGITIMATE CONCERN OF ALL SIGNATORY STATES. THE UNITED STATES HAS MADE KNOWN ITS VIEWS ON THESE TRIALS AT THE HIGHEST LEVELS, AND WE HOPE THAT OTHER SIGNATORY STATES WILL CONVEY THEIR VIEWS TO THE SOVIET GOVERNMENT IN THE MANNER THEY DEEM MOST APPROPRIATE.

E) WE BELIEVE IT IMPORTANT FOR THE SOVIET GOVERNMENT TO UNDERSTAND, PREFERABLY THROUGH THE EFFORTS OF MANY

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PARTICIPATING STATES, THAT ACTIONS WHICH FLAUNT THE HELSINKI FINAL ACT WILL BE SPECIFICALLY CRITICIZED BY THE OTHER SIGNATORY STATES. IT GOES WITHOUT SAYING THAT SUCH ACTIONS ARE INCOMPATIBLE WITH THE IMPROVEMENT OF EAST-WEST RELATIONS AND THE STRENGTHENING OF DETENTE.

F) WE APPRECIATE ANY ACTIONS WHICH YOUR GOVERNMENT HAS ALREADY TAKEN OR MAY BE CONTEMPLATING IN THIS REGARD, AND WE BELIEVE THAT SUCH EFFORTS WILL, IN THE LONG RUN, SERVE TO BENEFIT CSCE OBJECTIVES. WE WOULD ALSO WELCOME YOUR VIEWS ON WHAT FURTHER ACTIONS CSCE STATES MIGHT TAKE JOINTLY OR INDIVIDUALLY IN THIS REGARD, BEARING IN MIND THE IMPORTANCE OF MAINTAINING THE INTEGRITY OF THE CSCE PROCESS AT THIS DIFFICULT TIME.

CHRISTOPHER

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## Message Attributes

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**Review Markings:**  
Sheryl P. Walter  
Declassified/Released  
US Department of State  
EO Systematic Review  
20 Mar 2014  
**Markings:** Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014